

**YOUR RIGHTS AND
RESPONSIBILITIES WHILE
CLAIMING UNEMPLOYMENT
INSURANCE BENEFITS**



**YOU CAN NOW CLAIM BENEFITS BY PHONE!
FOR DETAILS SEE THE SECTION TITLED “HOW DO
I CLAIM MY WEEKLY BENEFITS” (SEE PAGE 10)**

CALL DATE _____

**KEEP THIS BOOKLET FOR TWO YEARS FROM THE
DATE YOU FILE YOUR CLAIM**

LOCAL OFFICE ADDRESS:

**COMMONWEALTH OF KENTUCKY
CABINET FOR WORKFORCE DEVELOPMENT
DEPARTMENT FOR EMPLOYMENT SERVICES**

<http://www.desky.org>

**IMPORTANT
READ THIS SECTION FIRST**

IT IS VERY IMPORTANT THAT YOU READ AND UNDERSTAND THE INFORMATION IN THIS BOOKLET REGARDING YOUR RIGHTS AND RESPONSIBILITIES.

**WORK SEARCH REQUIREMENTS WHILE CLAIMING
UNEMPLOYMENT INSURANCE BENEFITS**

By law, an unemployed worker must be “*available for suitable full-time work and making such reasonable effort to obtain work as might be expected of a prudent person under like circumstances*” while claiming UI benefits. You must:

- be able to work,
- register for work with the Department for Employment Services (DES),
- respond in a timely manner when DES contacts you about job openings,
- accept referrals from DES to suitable employment,
- report for job interviews to which referred,
- report for follow-up contacts with DES as instructed,
- participate in other reemployment services and case management to which you are referred,
- seek employment on your own, and
- accept suitable employment when offered.

Failure to meet the above requirements may result in you being disqualified from receiving benefits.

Claimants must not rely solely on DES or any single job lead source to get a job. Occasionally while claiming UI benefits you will be required to report to DES to discuss your work search efforts. DES

will want to know what employers you have contacted, when you contacted them, who you contacted at each location, and the results of those contacts. A space is provided at the end of this booklet where you are to keep a record of your work search efforts.

You must bring this with you when you report to DES for an in-person eligibility review.

UI claimants are allowed a reasonable period of time to find work that is comparable in pay and skill level to their most recent employment. However, if you are unable to find such work after a reasonable period of time or that type of work is not available in your local labor market, you will be required to lower your expectations and seek employment that pays less or is at a lower skill level than that to which you are accustomed.

AM I ELIGIBLE TO DRAW BENEFITS?
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Soon after you file your claim, you will receive a notice telling you if your claim is ALLOWED or DENIED based upon the amount of earnings reported in your “BASE PERIOD.” Your base period is the first four of the last five completed calendar quarters immediately prior to the quarter you file your claim. Here’s a chart to help you understand what the base period will be for a claim.

If the Effective Date of your Claim is Between	The Base Period is the Prior
Jan. 1 through Mar. 31	Oct. 1 to Sept. 30
April 1 through June30	Jan. to Dec. 31
July 1 through Sept. 30	April 1 to Mar. 31
Oct. 1 through Dec. 31	July 1 to June 30

For example, if you filed a claim with an effective date any time from January 1, 2001, through March 31, 2001, your base period for

that claim begins October 1, 1999, and ends September 30, 2000.

There are also four requirements that must be met before a determination can be made that there are sufficient wages in your base period.

- 1 - Wages of at least \$750 in one quarter.
- 2 - Total wages of at least one and one-half times the wages in your high quarter.
- 3 - Total wages outside the high quarter of at least \$750.
- 4 - Wages in the last 2 quarters of at least 8 times your weekly rate.

If we do not find enough wages in your base period or you do not meet all four of the prior criteria, you will receive a notice stating that your claim is DENIED. If you believe all of your wages were not included in the determination, you may request a RECONSIDERATION. You may also request a reconsideration if your weekly benefit amount is less than the maximum allowed, and you believe all of your wages were not reported.

Bring proof of additional wages, such as check stubs, W-2s, or a statement from an employer. We will look into your claim and make any adjustments required. If you have requested a reconsideration, while you’re waiting for a decision, YOU MUST continue to claim your weeks of benefits, because if you don’t and your claim is ALLOWED after adjustments are made, we cannot pay you for weeks that have passed.

**EMPLOYERS PAY THE FULL COST OF UI BENEFITS.
WORKERS DO NOT PAY ANY PART OF THE COST.**

COMBINED WAGE CLAIMS

Did you work in another state during your base period? If so, you

may want to file a COMBINED WAGE or INTERSTATE claim. We can help you file a claim against another state or ask the other state to send your wage credits to Kentucky. Ask your Local Office for assistance if you wish to file a combined wage claim.

FEDERAL MILITARY AND CIVILIAN EMPLOYMENT

HOW DOES SERVICE IN THE ARMED FORCES AFFECT MY CLAIM FOR UNEMPLOYMENT BENEFITS? If you served in the federal armed forces during your base period, wages earned during such service may be used in determining your eligibility for and the amount of your benefits.

In addition to all regular eligibility and qualifying requirements, to be eligible to receive unemployment benefits based on military wages, you must have been discharged or released from military service under honorable conditions after completing your first full term of active service. You may be eligible for benefits if you were separated prior to completion of your first full term of service, but only if the reason for early separation is one approved by the U.S. Department of Defense. We must accept the findings of the federal government as final. Any appeals of federal findings must be directed to your former branch of the military within the appeal period for regular claims. You must notify your local office of your intent to appeal to the military within the time period noted on your determination explaining your benefit eligibility. If necessary, local office personnel can assist you in completing the necessary forms.

FEDERAL CIVILIAN WAGES. If you worked for the federal government in a non-military position, this service and all wages earned during your base period will be used to establish your benefit eligibility. Wages earned after your base period may be used in a subsequent claim if you are otherwise eligible. We must use the information reported to us by the Federal Payroll office regarding

your length of employment, your wages, and the reason for your separation.

If you disagree with the federal findings, you may ask for a reconsideration. If you request a reconsideration, you must notify your local office within the time period for appeals noted on your determination explaining your benefit eligibility.

IF MY CLAIM IS “ALLOWED,” DO I GET MY BENEFITS NOW?

It’s a good start, but more is required. You may be an insured worker and still be ineligible or disqualified for benefits. Some of the common reasons you may be ineligible or disqualified are:

- **YOU ARE NOT ABLE TO WORK, OR AVAILABLE FOR FULL-TIME WORK OR ACTIVELY SEEKING FULL-TIME WORK.**
- You have a medical reason to prevent you from accepting work.
- You are an alien not permitted to work.
- You have unreasonably limited the wages you will accept, the hours or days you will work, the locations where you work or the jobs you will accept.
- You are not looking for work as instructed.
- You did not register for work with Job Services, if required.
- You are involved in a strike.
- You are self-employed/owner/officer of a corporation.
- You are attending school (without prior approval of the Department for Employment Services)
- You are a school employee between terms.
- You are suspended for misconduct.
- You refused suitable work.
- You do not have adequate transportation.
- You don’t have someone to care for your children while you work.

- You were fired for misconduct connected with your work.
- You quit your job for personal reasons or for reasons that were not considered “good cause” connected with the employment.
- You did not report, telephone, or provide information to the local office when instructed.
- You worked or earned wages in excess of the amount allowed to be considered “unemployed.”
- You failed to participate in required services under the Case Management Program.

This is only a partial list of reasons you may be disqualified or ineligible.

HOW MUCH WILL I RECEIVE IN BENEFITS EACH WEEK?

Your weekly benefit amount is 1.3078% of your total base period wages, except it cannot be less than \$39.00 nor more than the maximum set by law. Assume the following wages were reported:

1st Quarter 2000 (January-March)	\$ 3,500
2nd Quarter 2000 (April-June)	4,000
3rd Quarter 2000 (July-September)	3,500
4th Quarter 1999 (October-December)	<u>3 000</u>
Total Base Period Wages	\$14,000

To find out the claimant’s WEEKLY BENEFIT AMOUNT, we multiply 1.3078% by the total base period wages:

$$\$14,000 \times 1.3078\% = \$183.09$$

The claimant’s WEEKLY BENEFIT AMOUNT (rounded to the nearest dollar) would be \$183.00.

The maximum amount of benefits you can draw during the life of the claim would be the lesser of 26 times your weekly benefit rate or 1/3 of total base period wages.

In the example given, the maximum amount payable during the life of the claim would be $26 \times \$183.00$, which is \$4,758.00.

Once your weekly benefit rate is established, the actual amount of your weekly benefit check can vary because of required or elected deductions.

Eighty percent of your GROSS wages, BEFORE deductions, that you EARN during the week claimed will be deducted from your weekly amount. For example, if your weekly benefit amount is \$150 and you earn \$40 during the week, we will deduct \$32 (80% of \$40) from your weekly amount of \$150, and issue you a check for \$118.

If you receive a PENSION, you must let us know because in some cases, your pension will be deducted from your weekly benefits. Pensions paid under the Social Security Act or Railroad Retirement Act will not be deducted.

One hundred percent of wages received in lieu of notice will be deducted. This is different from severance pay, which is not deductible. If in doubt, ask your interviewer to explain the difference.

ELIGIBILITY REVIEWS

Every six weeks, your card will have asterisks in the place of the dates of weeks claimed. Report to your local office.

DO NOT MAIL THIS FORM OR CLAIM THE WEEKS until you have paid a visit to your Local Office.

BRING the card with you to the local office either on a Wednesday, Thursday, or before noon Friday, during the second week printed on the card. Eligibility reviews ARE REQUIRED and we cannot write your benefit check until the interview is conducted.

During the interview, we will review your ELIGIBILITY with you. For example, we'll want to know about your work search, the type of work you are looking for, the hours and days you can work, the minimum salary you are willing to accept, etc. We want to be sure that your goals are realistic and within your capabilities. We'll also want to know where you have looked for work and where you plan to look for work.

We'll ask questions to see if you're still ABLE and AVAILABLE for work. Do you have transportation to work? Do you have a baby-sitter to take care of your children while you work? Are you attending school? Are you self-employed?

LOST OR STOLEN CHECKS

You may call Interactive Voice Response (IVR) at the telephone number listed to find out when your check was processed and mailed. Do not call the local office for this information until 10 days have passed since you submitted your request for payment either through the automated system or the mail.

If your check is lost or stolen we cannot send a tracer for 14 days from the date that you requested payment. You may call or visit the local office for further information regarding this procedure. **It is important that we have your correct mailing address. The postal service will not forward your unemployment check.**

WILL MY EMPLOYER KNOW WHEN I FILE A CLAIM?

YES! THE SAME DAY YOU FILE YOUR CLAIM, WE WILL MAIL A COPY OF IT TO YOUR EMPLOYER. YOUR EMPLOYER HAS THE RIGHT TO PROTEST IF HE DOES NOT AGREE WITH THE INFORMATION YOU PRESENT ON YOUR APPLICATION.

BE SURE TO ENTER THE REAL REASON FOR YOUR SEPARATION.

If there is a difference between what you say is the reason for your separation and what your employer says, we will investigate the issue to determine the facts.

You will always receive a notice of the investigator's decision, and you have 15 days to appeal the decision if you disagree with it, likewise an employer may also appeal. If you are awarded benefits and the decision is reversed on appeal, you will be required to repay the benefits received.

Indeed, this is a very complicated program, and it's best to get all the facts straight from the beginning! If you are confused, ask questions.

HOW LONG DO DISQUALIFICATIONS LAST?

Under one type of disqualification, you must work in at least a part of each of 10 weeks (whether or not consecutive) and earn total wages of at least 10 times your weekly benefit rate that was established when you filed your claim.

Another, more serious disqualification is for making a FALSE STATEMENT or failing to tell us an important fact, such as working while drawing benefits. **DO NOT BE GUILTY OF FRAUD!** If you make a FALSE STATEMENT in claiming benefits, you can be disqualified for up to 52 weeks! There are other penalties for fraud,

too, such as FINES AND POSSIBLE IMPRISONMENT. Also, all benefits fraudulently received MUST BE REPAID to the Division of Unemployment Insurance. Interest will accrue and there may be a lien filing fee as well as a lien release fee.

HOW DO I CLAIM MY WEEKLY BENEFITS?

YOU WILL RECEIVE A PAY ORDER FORM IN THE MAIL.
DO NOT MAIL THIS FORM!
IT IS AN INSTRUCTIONAL AID TO HELP YOU IN ORDERING YOUR CHECKS AT CORRECT TIME AND FOR THE DIVISION TO GIVE YOU MESSAGES OF WHEN TO REPORT FOR ELIGIBILITY REVIEWS.

Toll **FREE** Phone Number **1-866-291-2926**

Order First Check _____

Order Next Check **ON SUNDAY** _____
And **EVERY OTHER SUNDAY** Thereafter.
IVR AVAILABLE: 2PM – 9PM EST on Sunday
7AM – 7PM EST Monday-Friday

Options Available on IVR (*Available Sunday-Friday*)

*Option 1 – Week Claiming (order check).

*Option 2 - Last Week Claimed Inquiry

**DO NOT USE
PULSE PHONE
SERVICE**

**MUST USE
TOUCH-TONE
PHONE
SERVICE**

Please have the following information readily available before you place your call to the automated system:

- Your social security number
- Your personal identification number (PIN) (this is a 4-digit number chosen by you during your first call.)
- The date you returned to full-time work, if you have returned to work.
- The number of hours you worked, if you were paid or will be paid for the work and the gross amount as well as any holiday, vacation, or other pay you received or will receive.

Script of Interactive Voice Response System (IVR)

1. Dial the toll free telephone number listed on page 10, then choose **OPTION 1** from the menu to claim your weeks. **FOR ALL QUESTIONS REQUIRING A “YES” OR “NO” RESPONSE, PRESS 1 FOR YES, 2 FOR NO, OR 7 TO REPEAT YOUR ANSWER TO THE QUESTION.**
2. Enter your **Social Security Number**. The system will repeat your Social Security Number. If it is correct, press 1. If it is NOT correct, press 2 and re-enter your Social Security Number.
3. Enter your four (4) digit **Personal Identification Number (PIN)**. These are numbers that **YOU CHOOSE**. It will be used **each** time you call. The first time you call, the system will repeat the PIN to confirm it.
4. It will tell you the weeks you will be claiming, for example: “You will be claiming the weeks 10-14-02 TO 10-20-02 and 10-21-02 to 10-27-02. **First you will answer the following questions for 10-14-02 TO 10-20-02.** *If you are only off for one week it may ask for one week only, however if the system does ask you about a second week you **MUST report your hours and wages.***
5. Did you return to full-time work during this week? ----- If yes, the system will ask for the date you returned to work. Enter dates as in this example: February 6, 2002 would be entered as 020602. **The system expects 6 numbers, so a zero must precede months and days with 1 digit.**
6. During this week, did you perform any work for which you were paid or will be paid, or receive any income including wages and tips, odd jobs, self-employment, commission pay,

National Guard Duty Pay, Holiday Pay, or Vacation Pay? ---

-- **IF YES, then you will be asked a series of questions.**

A. **Was any portion of these earnings from Holiday Pay?**

IF YES, Enter the total amount you earned before any deductions were made, NOT your hourly pay rate.

The pound key must follow dollars and cents; for example, \$85.50 would be entered as 8550#. You must enter this amount under holiday pay, **DO NOT ENTER THIS AMOUNT UNDER WAGES AND TIPS**. It will ask you if this is correct, press 1. Otherwise, press 2.

B. **Was any portion of these earnings from Vacation Pay?** **IF YES**, the next question is "Do you have a definite date to return to work with this employer within 6 weeks". Press 1 for Yes, otherwise, press 2 for No. **IF YES**, Enter the total amount you earned before any deductions were made, NOT your hourly pay rate.

You must enter this amount under vacation pay, DO NOT ENTER THIS AMOUNT UNDER WAGES AND TIPS. The pound key must follow dollars and cents; for example, **\$85.50 would be entered as 8550#**. It will ask you if this is correct, then press 1. Otherwise, press 2.

C. Was any portion of these earnings from odd jobs, self-employment, commission pay or National Guard Duty? Press 1 for yes, otherwise, press 2 for no. (If yes, the next question will be for the number of hours worked followed by the pound key (#). Following question will be to enter the amount you earned in dollars and cents followed by the pound (#) key.) **You must enter this amount under "other" category. DO NOT ENTER THIS AMOUNT UNDER WAGES AND TIPS.**

D. Was any portion of these earnings from wages or tips? Press 1 for yes, otherwise, press 2 for no. (If yes, the next question will be for the number of hours worked

followed by the pound key (#). Following question will be to enter the amount you earned in dollars and cents followed by the pound (#) key.) **This is the ONLY time you will enter your amount of earnings under wages and tips. This is if you had regular earnings, *not vacation pay, holiday pay, odd jobs, self-employment, commission pay, or National Guard Duty pay.***

7. Did you refuse work during this week? Press 1 for yes, otherwise, press 2 for no.
8. Did you quit a job or were you fired from a job after [filing] date? Press 1 for yes, otherwise, press 2 for no.
9. Did you begin receiving or did you have a change in the amount of your retirement benefits, excluding Social Security benefits?
10. Were you physically and mentally able to work each day?
11. Were you available for permanent, full-time work each day?
12. Now, you will be asked the same above questions for the next week (in some instances the system will not inquire about the second week). REMEMBER IF YOU RETURNED TO WORK YOU MUST REPORT YOUR WAGES (including holiday pay & vacation pay).
13. *Penalties are imposed by law, on falsification of and or for failure to disclose a material fact in order to obtain Benefits.* Do you certify that your answers were complete and truthful?
14. PLEASE HOLD ON... Your Claim is being processed. Do not hang up before the IVR tells you to.

IVR SCRIPT INQUIRY

NOTICE

- A. **DO NOT** call the system back to claim your weeks unless there was a system problem and you were advised by the computer to call back later. When you call more than once a day, it will kick your payment out as a duplicate. You will get a call from your local office to certify your weeks again, and **YOU WILL DELAY YOUR BENEFITS.**
- B. THERE'S NO WAY AROUND IT! **If during your telephone call via IVR the system tells you to CONTACT YOUR LOCAL OFFICE, you must contact as instructed before the weeks can be paid. Calling the system again will not issue a payment.**
- C. **ANSWERS TO ALL QUESTIONS MUST BE PERSONALLY ENTERED BY YOU AND MUST BE TRUTHFUL. FALSIFICATION OF INFORMATION IS PUNISHABLE BY FINES AND/OR IMPRISONMENT UNDER KRS 341.990.**
- D. **IF YOU HANG UP THE PHONE BEFORE THE IVR SYSTEM TELLS YOU TO, YOUR CLAIM FOR BENEFITS WILL NOT BE PROCESSED. IF YOU ARE USING A CELL PHONE AND LOOSE YOUR SIGNAL THIS IS THE SAME AS HANGING UP. PLEASE FOLLOW THE SYSTEM'S INSTRUCTIONS VERY CAREFULLY.**
- E. **ONCE YOUR CLAIM HAS BEEN ACCEPTED BY THE SYSTEM PLEASE DO NOT MAIL YOUR PAY ORDER FORM TO THE UI OFFICE. IF YOU DO NOT RECEIVE YOUR CHECK WITHIN 10 DAYS AFTER MAKING YOUR CALL YOU MAY THEN CONTACT YOUR LOCAL OFFICE.**

**IVR Available: 2PM - 9PM EST ON Sunday
7AM - 7PM EST Monday – Friday**

**Options Available on IVR: (Available Sunday-Friday)
*Option 2 – Last Week Claimed Inquiry**

Script of Interactive Voice Response System (IVR)
Please read carefully before making your call.

DO NOT USE PULSE PHONE SERVICE

When was my last check mailed?

1. Dial the toll free telephone number listed above, then choose **OPTION 2** from the menu to inquire about your last week claimed.
2. Enter your **Social Security Number.**
3. The system will repeat your Social Security Number. If it is correct, press 1. If it is NOT correct, press 2 and re-enter your Social Security Number.
4. Enter your four (4) digit **Personal Identification Number (PIN).**

MUST USE TOUCH-TONE PHONE SERVICE

5. Your remaining balance on this claim is (balance).
6. Your check for the week ending (week 1 ending) & (week 2 ending) was mailed on (mail date). The check amount was (\$ amount). (The IVR system will tell you if you have been given credit for claiming weeks, but no payment was issued.)
7. Do you need this check information repeated? If yes, press 1. If no, press 2.

**DEPARTMENT FOR EMPLOYMENT SERVICES
DIVISION FOR UNEMPLOYMENT INSURANCE**

www.desky.org

YOUR CLAIM FORM

Now let's take a look at the information you will be asked to give us on your claim form.

Question 1A & 1B Any work that you have done DURING THE WEEKS COVERED BY THE CLAIM FORM must be listed along with the employer's name and address, the number of hours worked, and your GROSS pay for these hours. GROSS earnings are the total earnings before any taxes, insurance, etc. are deducted. Many people are careless when entering their correct amount of gross pay. Since we generate a computer match of benefits paid against wages reported by your employer, it causes everybody less trouble in the long run if you are very careful in entering your wages.

HOLIDAY and VACATION PAY, SELF-EMPLOYMENT INCOME, ARMED FORCES RESERVE and NATIONAL GUARD DRILL PAY, TIPS, and PAYMENTS RECEIVED as

COMMISSIONS are EARNINGS which must be reported.

Question 2 refers ONLY to work you may have had DURING the TWO WEEKS listed on the claim card. Many people check "yes" because they ARE separated from work. However, the only separation we are interested in at this point is one that may have happened DURING THE TWO WEEKS LISTED. If your answer is yes, do NOT mail the card, but TAKE this card to your local office. If we receive a card in the mail with "yes" checked, we cannot write a benefit check until we see you.

Question 3 asks if you have returned to FULL-TIME WORK. If you answer "yes" to this question, you must enter the date you returned to work and the employer's name. Did you return to work BEFORE the last day (Saturday) of a week you are claiming? If so, be sure to enter your earnings. If you return to full-time work, your claim will be STOPPED. If you are laid off again, OR work less than full-time (you may be eligible for PARTIAL benefits), COME IN to the local office to REOPEN your claim.

Question 4 asks about PENSIONS. Whether or not your pension is DEDUCTIBLE will be decided when you file your initial claim, but continue to answer this question anyway, entering the date the pension started. It is especially important if you BEGIN to receive a pension during your claim because it will be necessary that we determine whether or not there will be a deduction from your check. Pensions may be deductible only if they are based on YOUR wages. For example, if you are receiving a pension as a wife or widow based on your husband's earnings, that pension is NOT deductible.

Question 5 asks if you were ABLE TO WORK and AVAILABLE FOR WORK during the weeks claimed on the card. If you are SICK, INJURED, or in THE HOSPITAL, you are NOT ABLE TO WORK AND YOU MUST TELL US. CONCEALING information like this

could result in a FRAUD disqualification against you and a LOSS OF BENEFITS for a long time.

Were you AVAILABLE FOR WORK? For example, if you were ATTENDING SCHOOL (without prior approval of the department), had NO TRANSPORTATION to work, OR NO ONE TO CARE FOR YOUR CHILDREN while you work, you may not have been AVAILABLE for work.

Again, be truthful! A fraud determination can cause the loss of benefits for an extended period of time.

Question 6 asks if you were ACTIVELY SEEKING FULL-TIME work during the weeks claimed. Unless your local office staff tells you otherwise, you must make an effort to find work while drawing unemployment benefits. Workers on short-term layoff with a definite recall date within 6 weeks are not required to search for work.

If you choose to mail your form rather than claiming benefits by telephone, the last thing you will do after answering all the questions is to sign and date the claim form, certifying that all the information provided by you is accurate and complete.

Okay, you're ready to mail your form! Be sure to sign, date and mail it AFTER the week 2 ending date and BEFORE the following Sunday. **MAIL YOUR FORM TO YOUR LOCAL OFFICE, NOT TO THE RETURN ADDRESS ON YOUR CARD/CHECK.**

IF YOU MAIL YOUR CLAIM TO THE RETURN ADDRESS ON YOUR CHECK OR CLAIM FORM, IT WILL CAUSE A DELAY IN PROCESSING.

NAFTA AND TAA

NAFTA, the North American Free Trade Agreement, provides assistance to workers who have lost their jobs because of trade with Mexico and Canada. The benefits of this program are similar to TAA, Trade Adjustment Assistance, which provides assistance to workers who have been totally or partially separated from their jobs because of increased foreign imports. If you believe you may be eligible to receive benefits under these programs please inquire at your local office.

YOUR BENEFITS ARE TAXABLE

Unemployment insurance benefits are taxable and must be reported on your annual income tax return. The Department will report the total amount of your benefits to the Internal Revenue Service and will provide you with an annual statement (Form 1099G), no later than January 31st of each year.

You may have federal income tax withheld from your unemployment insurance benefit check. This is optional and may be changed once during your benefit year. You make this selection when first completing our initial claim form. To change this selection you must contact your local office. The amount withheld will always be 10% of your weekly benefit entitlement if you choose this option.

ASSURANCE OF EQUAL OPPORTUNITY (EO)

The Kentucky Department for Employment Services will ensure that auxiliary aids and services are available upon request to individuals with disabilities. It is against the law for DES to discriminate against any individual in the U.S., on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief.

The Department has agreed to comply with the equal opportunity and nondiscrimination laws and all amendments subsequent to implementation dates as follows:

Title VI of the Civil Rights Act of 1964.
Section 504 of the Rehabilitation Act of 1973.
The Age Discrimination Act of 1975.
The Americans with Disabilities Act of 1990.
Workforce Investment Act (WIA) of 1998.

If you believe you have been discriminated against under one of the laws listed above, you have a right to file a complaint according to the procedures in the next section. You may ask for assistance at your local office, or call the Department's Office of Equal Opportunity at (502) 564-2918.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Kentucky EO Officer
The Department for Training and ReEmployment
209 St. Clair Street, 4th Floor
Frankfort, Kentucky 40601

or

The Director
Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210

IMPORTANT THINGS TO KNOW

- A. We **MUST** have your **SOCIAL SECURITY NUMBER** whenever you visit, call, or write to the office about your claim.
- B. **YOUR CHECK CANNOT BE FORWARDED!** If you **MOVE**, be sure to notify your local office of your new address immediately.
- C. You may access IVR for the date your check was mailed. Wait 10 days before calling the local office if it gives you a date the check was mailed.
- D. **CLAIM** each week as instructed while waiting to hear the results of an appeal, we cannot pay you for past weeks even if the decision is in your favor.
- E. **ALWAYS BRING YOUR DRIVER'S LICENSE OR OTHER PHOTO IDENTIFICATION WITH YOU WHEN YOU COME TO THE LOCAL OFFICE.**
- F. If you believe any decision to deny UI benefits to you is incorrect, you may **APPEAL** the decision. This may be done at the local office, or in writing addressed to:

Department for Employment Services
Division of Unemployment Insurance
Appeals Branch / 2EB
Frankfort KY 40621

PAM-UI-400/ES-513
(R. 08/02)

AN EQUAL OPPORTUNITY EMPLOYER M/F/D